

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
-vs-) CIV-10 - 832-L
)
REAL PROPERTY KNOWN AS)
7501 N.W. 210TH STREET,)
OKLAHOMA CITY, OKLAHOMA,)
)
ONE 2006 FORD EXPEDITION,)
VIN 1FMFU19556LA87027,)
)
ONE 2003 LINCOLN TOWNCAR,)
VIN 1LNHM82W03Y700559,)
)
\$6,400.00 IN U.S. CURRENCY,)
)
\$188,914.60 SEIZED FROM BANK)
ACCOUNT #XXX2602 AT QUAIL)
CREEK BANK,)
)
\$42,265.49 SEIZED FROM BANK)
ACCOUNT #XXX7618 AT QUAIL)
CREEK BANK,)
)
\$7,766.11 SEIZED FROM BANK)
ACCOUNT #XXX2591 AT QUAIL)
CREEK BANK,)
)
\$4,365.35 SEIZED FROM BANK)
ACCOUNT #XXX5661 AT QUAIL)
CREEK BANK.)
)
Defendants.)

VERIFIED COMPLAINT FOR FORFEITURE *IN REM*

Plaintiff, United States of America, by its attorneys, Sanford C. Coats, United States Attorney for the Western District of Oklahoma, and Sue Tuck Richmond, Assistant United States Attorney, brings this complaint and alleges as follows in accordance with Rule G(2) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions:

NATURE OF THE ACTION

1. This is an action to forfeit and condemn to the use and benefit of the United States of America the following properties: real property known as 7501 N.W. 210th Street, Oklahoma City, Oklahoma, one 2006 Ford Expedition, VIN 1FMFU19556LA87027, one 2003 Lincoln Towncar, VIN 1LNHM82W03Y700559, \$6,400.00 in United States currency, \$188,914.60 seized from bank account #XXX2602 at Quail Creek Bank, \$42,265.49 seized from bank account #XXX7618 at Quail Creek Bank, \$7,766.11 seized from bank account #XXX2591 at Quail Creek Bank and \$4,365.35 seized from bank account #XXX5661 at Quail Creek Bank (the "defendant properties"), for violations of 18 U.S.C. § 1956, 18 U.S.C. § 981(a)(1)(A), and 18 U.S.C. § 985.

THE DEFENDANTS IN REM

2. The defendant properties consist of the following:

1) The defendant real property known and numbered as 7501 N.W. 210th Street, Oklahoma City, Oklahoma, more particularly described as:

Tract 26

Part of the Southeast Quarter (SE/4) of Section Seventeen (17), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, in Oklahoma County, Oklahoma, Being more particularly described as follows: Beginning at the Northeast corner of the Southeast Quarter (SE/4); Thence 1321'.64 feet West of the Northeast corner to a point or place of beginning; Thence South 660 feet; Thence West 330.45 feet; Thence North 660 feet; thence East 330.42 feet to the point or place of beginning, and having a street address of 7351 N.W. 210th AKA 7501 N.W. 210th, Oklahoma County, Oklahoma 73042, with all appurtenances, improvements, and attachments thereon.

The record owner of the defendant real property is Andrew Western, Inc., pursuant to Warranty Deed recorded in Book 7442, Page 0558, in the records of the County Clerk of Oklahoma County, Oklahoma.

The defendant real property has not been seized, but it is located within this district and within the jurisdiction of the Court. The United States does not request authority from the Court to seize the real property defendant at this time. The United States will, as provided by 18 U.S.C. § 985(b)(1) and (c)(1):

- a. post notice of this action and a copy of the Complaint on the defendant real property, and
- b. serve notice of this action on the defendant real property owner, and any other person or entity who may claim an interest in the defendant, along with a copy of this Complaint, and

- c. execute a writ of entry for purposes of conducting an inspection and inventory of the property, and
- d. file a lis pendens in county records of the defendant real property's status as a defendant in this *in rem* action.

The United States will also appraise the defendant real property when it executes the Writ of Entry.

2) The defendant one 2006 Ford Expedition, VIN 1FMFU19556LA87027, was seized from Robert Hodgins and Donna Andrew on August 20, 2008, by the Drug Enforcement Administration ("DEA") at the following location: 7501 N.W. 210th, Oklahoma City, Oklahoma. The defendant property is presently in the custody of the United States Marshals Service.

3) The defendant one 2003 Lincoln Towncar, VIN 1LNHM82W03Y700559, was seized from Robert Hodgins and Donna Andrew on August 20, 2008, by the DEA at the following location: 7501 N.W. 210th, Oklahoma City, Oklahoma. The defendant property is presently in the custody of the United States Marshals Service.

4) The defendant \$6,400.00 in United States currency, was seized from Robert Hodgins and Donna Andrew on August 20, 2008, by the DEA, at the following location: 7501 N.W. 210th, Oklahoma City, Oklahoma. The defendant property is presently in the custody of the United States Marshals Service.

5) The defendant \$188,914.60, was seized from bank account #XXX2602 at Quail Creek Bank, in the name of Global Star Products, Ltd., on August 20, 2008, by the DEA. The defendant property is presently in the custody of the United States Marshals Service.

6) The defendant \$42,265.49 was seized from bank account #XXX7618 at Quail Creek Bank, in the name of Andrew Western, Inc., on August 20, 2008, by the DEA. The defendant property is presently in the custody of the United States Marshals Service.

7) The defendant \$7,766.11 was seized from bank account #XXX2591 at Quail Creek Bank, in the name of Cleansip2000, Inc., on August 20, 2008, by the DEA. The defendant property is presently in the custody of the United States Marshals Service.

8) The defendant \$4,365.35 was seized from bank account #XXX5661 at Quail Creek Bank, in the names of Robert E. Hodgins and/or Donna M. Andrew, on August 20, 2008, by the DEA. The defendant property is presently in the custody of the United States Marshals Service.

JURISDICTION AND VENUE

3. Plaintiff brings this action *in rem* in its own right to forfeit and condemn the defendant properties, pursuant to 18 U.S.C. §§ 981(a)(1)(A), 983, 985, and 1956. This Court has jurisdiction over an action commenced by the United States under 28 U.S.C. § 1345, and over an action for forfeiture under 28 U.S.C. § 1335(a).

4. This Court has *in rem* jurisdiction over the defendant properties under 28 U.S.C. § 1335(b).

5. Venue is proper in this district pursuant to 28 U.S.C. §1335(b)(1), because the acts or omissions giving rise to the forfeiture occurred in this district, and pursuant to 28 U.S.C. § 1335, because the properties are found in this district.

BASIS FOR FORFEITURE

6. The defendant properties are subject to forfeiture pursuant to 18 U.S.C. § 981(a)(1)(A) which provides, in pertinent part:

- (a)(1) The following property is subject to forfeiture to the United States:
 - (A) Any property, real or personal, involved in a transaction or attempted transaction in violation of section 1956, of this title, or any property traceable to such property.

7. The United States alleges that the defendants are subject to forfeiture to the United States because they are properties involved in violations of 18 U.S.C. § 1956.

FACTS

8. The facts and circumstances supporting the seizure and forfeiture of the defendant properties are contained in Attachment 2, which is attached hereto and fully incorporated herein by reference.

CLAIM FOR RELIEF

WHEREFORE, plaintiff requests that the Court issue a writ of entry for the defendant real property and issue an arrest warrant *in rem* for the arrest and seizure of the other defendant properties listed above; that notice of this action be given to

all persons who reasonably appear to be potential claimants of interests in the property; that the defendant properties be forfeited and condemned to the United States of America; that the plaintiff be awarded its costs and disbursements in this action and for such other and further relief as this Court deems proper and just.

Respectfully submitted,

SANFORD C. COATS
United States Attorney

s/Sue Tuck Richmond

SUE TUCK RICHMOND
Assistant U.S. Attorney
Bar Number: 14824
210 W. Park Avenue, Suite 400
Oklahoma City, OK 73102
(405) 553-8781 (Office)
(405) 553-8888 (Fax)
sue.richmond@usdoj.gov